

1 SOLOMON E. GRESEN [SBN: 164783]
JOSEPH M. LEVY [SBN: 230467]
2 **LAW OFFICES OF RHEUBAN & GRESEN**
15910 VENTURA BOULEVARD, SUITE 1610
3 ENCINO, CALIFORNIA 91436
TELEPHONE: (818) 815-2727
4 FACSIMILE: (818) 815-2737

(SPACE BELOW FOR FILING STAMP ONLY)

CITY ATTORNEY

2011 JUN 30 AM 9:24

5 Attorneys for Plaintiff and Cross-Defendant Omar Rodriguez

6
7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT
10

11 OMAR RODRIGUEZ; CINDY GUILLEN-
GOMEZ; STEVE KARAGIOSIAN;
12 ELFEGO RODRIGUEZ; AND JAMAL CHILDS,

13 Plaintiffs,

14 -vs-

15 BURBANK POLICE DEPARTMENT; CITY OF
BURBANK; AND DOES 1 THROUGH 100,
16 INCLUSIVE.

17 Defendants.

18 BURBANK POLICE DEPARTMENT; CITY OF
BURBANK,

19 Cross-Complainants,

20 -vs-

21 OMAR RODRIGUEZ, and Individual,

22 Cross- Defendant.
23

CASE NO.: BC 414 602

**PLAINTIFF AND CROSS- DEFENDANT
OMAR RODRIGUEZ'S SUPPLEMENTAL
RESPONSES TO DEFENDANT AND
CROSS-COMPLAINANT CITY OF
BURBANK'S SUPPLEMENTAL REQUEST
FOR PRODUCTION OF DOCUMENTS**

Assigned to: Hon. Joanne B. O'Donnell, Judge
Dept. 37

Complaint Filed: May 28, 2009

Trial Date: July 27, 2011

No call yet.

24 PROPOUNDING PARTY: DEFENDANT & CROSS-COMPLAINANT, CITY OF BURBANK

25 RESPONDING PARTY: PLAINTIFF AND CROSS-DEFENDANT OMAR RODRIGUEZ

26 SET NUMBER: SUPPLEMENTAL

27 TO DEFENDANT & CROSS-COMPLAINANT, CITY OF BURBANK AND TO THEIR

28 ATTORNEY(S) OF RECORD:

1 Plaintiff and Cross-Defendant, Omar Rodriguez, hereby responds to Defendant, City of
2 Burbank's Demand for Production, Supplemental as follows:

3 **INTRODUCTION**

4 It should be noted that responding party has not fully completed investigation of the facts
5 relating to this matter, has not fully completed discovery in this action nor preparation for trial.
6 Further discovery, independent investigation, legal research and analysis may expose additional facts
7 which may lead to substantial changes in the responses herein set forth. Therefore, the following
8 responses are given without prejudice to responding party's right to introduce evidence of any
9 subsequently discovered facts contained herein which responding party may later obtain or discover.
10 Responding party accordingly reserves the right to supplement the responses herein below as
11 additional facts are ascertained, analyses are made, legal research is completed and contentions are
12 further developed.

13 **SUPPLEMENTAL REQUEST FOR DOCUMENTS:**

14 1. Please review all previous requests for production of DOCUMENTS propounded by
15 Burbank on YOU in this action and YOUR responses thereto and supplement YOUR responses and
16 production with any additional, non-privileged DOCUMENTS that are now in YOUR possession,
17 custody or control and have not been previously produced by YOU.

18 **RESPONSE TO SUPPLEMENTAL REQUEST FOR DOCUMENTS:**

19 Objection. This discovery request seeks information concerning matters which are no longer
20 part of the case following the Court's ruling on Summary Judgment dated June 16, 2011. Therefore,
21 this demand is irrelevant, over broad, compound and not calculated to lead to the discovery of
22 admissible evidence. Without waiving the foregoing objections, the responding party has no new
23 documents/information responsive to this request, limited to only those matters remaining in this
24 case following entry of the Summary Judgment in this action.

25 Dated: June 27, 2011

LAW OFFICES OF RHEUBAN & GRESEN

26
27 By:



28 For Solomon E. Gresen
Attorneys For Plaintiffs Attorneys for Plaintiff and
Cross-Defendant Omar Rodriguez

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles. I am over the age of eighteen and am not a
4 party to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino,
California 91436.

5 On June 27, 2011, the foregoing document, described as **PLAINTIFF AND CROSS-
6 DEFENDANT OMAR RODRIGUEZ'S SUPPLEMENTAL RESPONSES TO DEFENDANT
AND CROSS-COMPLAINANT CITY OF BURBANK'S SUPPLEMENTAL REQUEST FOR
7 PRODUCTION OF DOCUMENTS** on the interested parties, through their respective attorneys of
record in this action by placing a true copy thereof enclosed in sealed envelopes addressed as
follows:

8 Lawrence A. Michaels
9 Veronica von Grabow
10 Mitchell Silberberg & Knupp LLP
11 11377 West Olympic Boulevard
Los Angeles, CA 90064-1683
LAM@msk.com and vtv@msk.com

Linda Miller Savitt, Esq.
Ballard Rosenberg Golper & Savitt, LLP
500 North Brand Boulevard, Twentieth Floor
Glendale, California 91203
lsavitt@brgslaw.com

12 Robert Tyson, Esq.
13 Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071
Rtyson@bwslaw.com

Carol Ann Humiston
Senior Assistant City Attorney
Office of the City Attorney
275 East Olive Avenue,
Burbank, California 91510-6459
chumiston@ci.burbank.ca.us

15 Thomas G. Mackey, Esq.
16 Jackson Lewis LLP
725 South Figueroa Street, Suite 2500
Los Angeles, California 90017
17 Email: mackeyt@jacksonlewis.com

18
19 **XX BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as
20 above, and placing each for collection and mailing on that date following ordinary business
21 practices. I am "readily familiar" with this business's practice for collecting and processing
correspondence for mailing. On the same day that correspondence is placed for collection
and mailing, it is deposited in the ordinary course of business with the U.S. mail Postal
Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.

22 **XX BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an
23 agreement of the parties to accept service by e-mail or electronic transmission, I caused the
documents to be sent to the person(s) at the e-mail address listed above. My electronic
24 notification address is dj@rglawyers.com. I did not receive, within a reasonable time after
the transmission, any electronic message or other indication that the transmission was
25 unsuccessful

26 **XX STATE:** I declare under penalty of perjury under the laws of the State of California that the
27 above is true and correct.

28 EXECUTED on June 27, 2011 at Encino, California.

Daphne Johnson